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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

ROBERT SHEREZ,

Plaintiff,

vs.

STATE OF HAWAII, DEPARTMENT
OF EDUCATION; PATRICIA
HAMAMOTO, Superintendent of
Hawai'i Schools; MEREDITH
MAEDA, Principal, Castle High
School; SARAH GRONNER or
GRONNA, Vice Principal of Castle
High School,

Defendants.

CIVIL NO. 04-00390 JMS/KSC

DEFENDANTS MEREDITH
MAEDA AND SARAH GRONNA'S
PROPOSED SPECIAL VERDICT
FORM; CERTIFICATE OF SERVICE

Trial: March 28, 2007

Judge: Hon. J. Michael Seabright

**DEFENDANTS MEREDITH MAEDA AND
SARAH GRONNA'S PROPOSED SPECIAL VERDICT FORM**

COMES NOW, Defendants MEREDITH MAEDA and SARAH GRONNA, in their individual capacities (hereinafter referred to collectively as "Defendants" unless specifically referred to as "Defendant MAEDA" or "Defendant "GRONNA"), by and through their undersigned attorneys, pursuant to this Court's Second Amended Rule 16 Scheduling Order filed on February 22, 2007, hereby submits the following proposed special verdict questions. Defendants request that the Court allow the jury to return only a special verdict on the attached Proposed Special Verdict Form.

DATED: Honolulu, Hawaii, March 13, 2007.

/s/ NELSON Y. NABETA

NELSON Y. NABETA

Deputy Attorney General

Attorney for Defendants

SPECIAL VERDICT FORM

In order to understand what issues are being submitted to the jury, you should read the entire Special Verdict Form before proceeding to answer. The jury must answer all of the questions, unless otherwise indicated. Answer the questions in numerical order. Follow all directions carefully. Each answer requires the agreement of all jurors. If you do not understand any of the questions or if you wish to communicate with the court on any other subject, you must do so in writing with the Courtroom Deputy.

PART A

1. CLAIM FOR VIOLATION OF CIVIL RIGHTS

Do you find by a preponderance of the evidence that Defendant Meredith Maeda, in his individual capacity, under the color of state law was deliberately indifferent to the rights of Plaintiff Robert Sherez and legally caused injury to him?

YES _____

NO _____

2. CLAIM FOR VIOLATION OF CIVIL RIGHTS

Do you find by a preponderance of the evidence that Defendant Sarah Gronna, in her individual capacity, under the color of state law was deliberately indifferent to the rights of Plaintiff Robert Sherez and legally caused injury to him?

YES _____

NO _____

3. CLAIM FOR VIOLATION OF STATE OF HAWAII FAIR
EMPLOYMENT ACT

Do you find by a preponderance of the evidence, that Defendant Meredith Maeda, in his individual capacity, aided or abetted in the furtherance of a discriminatory practice against Plaintiff Robert Sherez and legally caused injury to him?

YES _____

NO _____

4. CLAIM FOR VIOLATION OF STATE OF HAWAII FAIR
EMPLOYMENT ACT

Do you find by a preponderance of the evidence, that Defendant Sarah Gronna, in her individual capacity, aided or abetted in the furtherance of a discriminatory practice against Plaintiff Robert Sherez and legally caused injury to him?

YES _____

NO _____

If you have answered no to all of the above questions, sign this verdict form, then call the courtroom clerk. However, if you had answered yes to any of the above questions, go to the next part "B."

PART B

1. Taking into consideration the duty of Plaintiff Robert Sherez to exercise reasonable efforts to mitigate damages, how much would you award Plaintiff Robert Sherez to compensate him for actual injuries, physical and/or mental and/or emotional that were legally caused as a result of the conduct of Defendant Meredith Maeda, in his individual capacity?

\$ _____

2. Taking into consideration the duty of Plaintiff Robert Sherez to exercise reasonable efforts to mitigate damages, how much would you award Plaintiff Robert Sherez to compensate him for actual injuries, mental and/or emotional, that were legally caused as a result of the conduct of Defendant Sarah Gronna, in her individual capacity?

\$ _____

Sign this verdict form, then call the courtroom clerk.

THE FOREPERSON OF THE JURY MUST COMPLETE THE FOLLOWING:

I declare under penalty of perjury that I am the foreperson of the jury, and that the foregoing answers are the true and accurate answers of the jurors.

Executed at Honolulu, Hawai`i on this _____ day of _____, 2007.

JURY FOREPERSON